



SPW
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

DEL SOLDATO, et al.

Group Art Unit: 1614

Application No.: 10/686,907

Examiner: Unknown

Filed: October 17, 2003

Atty. Dkt. No.: 026220-00039

For: NITRIC ESTER DERIVATIVES AND THEIR USE IN TREATING
GASTROINTESTINAL TUMORS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

August 10, 2004

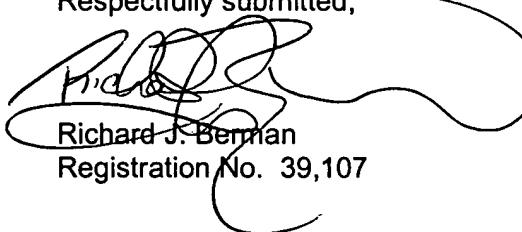
Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

Respectfully submitted,


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RJB:mso

Enclosures: PTO-1449 Form; Search Report; References (3)



Sheet 1 of 1

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
026220-00039

SERIAL NO.
10/686,907

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

DEL SOLDATO, et al.

FILING DATE

October 17, 2003

GROUP

Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO PART.
	AG	WO 94/12463	6/9/1994	WIPO			XX
	AH	WO 96/32946	10/24/1996	WIPO			XX
	AI						
	AJ						
	AK						
	AL						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

AM	G.D. Luk, "Prevention of Gastrointestinal Cancer – the Potential Role of NSAIDs in Colorectal Cancer", May 11, 1996, Vol.126, No.19, Pgs. 801-812
AN	
AO	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.